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Award

## **Dishwashers, Blast Chillers and Toasters**

the Education Authority

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-000872

Procurement identifier (OCID): ocds-h6vhtk-042c2c

Published 10 January 2024, 5:11pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

the Education Authority

40 Academy Street

Belfast

BT1 2NQ

#### **Email**

[cater.procure@eani.org.uk](mailto:cater.procure@eani.org.uk)

#### **Country**

United Kingdom

#### **Region code**

UK - United Kingdom

#### **Internet address(es)**

Main address

<https://etendersni.gov.uk/epps>

Buyer's address

<https://etendersni.gov.uk/epps>

#### **I.4) Type of the contracting authority**

Body governed by public law

#### **I.5) Main activity**

Education

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### **Section II: Object**

#### **II.1) Scope of the procurement**

##### **II.1.1) Title**

Dishwashers, Blast Chillers and Toasters

Reference number

CAT 11039

##### **II.1.2) Main CPV code**

- 39310000 - Catering equipment

##### **II.1.3) Type of contract**

Supplies

##### **II.1.4) Short description**

The award of a framework agreement by Education Authority Northern Ireland (EANI) without prior publication

of a call for competition in the Official Journal of the European Union, in respect of the provision of Dishwashers, Blast Chillers and

Toasters for EANI CAT 11039 as further described in OJEU Contract Notice.

### **II.1.6) Information about lots**

This contract is divided into lots: No

### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £440,000

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 39310000 - Catering equipment

### **II.2.3) Place of performance**

NUTS codes

- UKN - Northern Ireland

### **II.2.4) Description of the procurement**

Supply of Dishwashers, Blast Chillers and Toasters to the Education Authority NI

### **II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 20

Price - Weighting: 80

### **II.2.11) Information about options**

Options: No

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- Extreme urgency brought about by events unforeseeable for the contracting authority

Explanation:

The call off contract was entered into by EANI was initially for a term ending 30 April 2022 with the option to extend for two further

periods of up to 6 and 13 months respectively. These options were taken up and the call off contract was in place until 30 November 2023

(Expiry) under Regulation 72(1)(f) of The Public Contracts Regulations 2015. The contract was modified in December 2023 to allow for a short 4 month extension for the contract to finish on 31 March 2024.

EANI has commenced a new procurement which has been issued via the CAT 23 001 Dynamic Purchasing System this will be concluded by 31 March 2024.

The original call off contract was for a maximum value of £881,000 this modification is to increase the value of this contract by a maximum of 50% £440,000.

Further additional services until the commencement of the new framework agreement, which were not included in the original procurement, have become necessary and are permitted by Regulation 72(1)(c) of The Public Contracts Regulations 2015. Namely, the following conditions have been fulfilled:

(i) The need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen. Namely, unprecedented staff shortages in the catering industry and industrial action by staff. Staffing issues caused by industry wide recruitment problems have delayed the new procurement, with such circumstances, and the ensuing delay, unforeseeable by EANI.

Accordingly, a modification of value is required in order to allow the continuation of the provision of goods whilst the procurement exercise carried out via CAT 23 001 Dynamic Purchasing is concluded and the new contract commences.

(ii) The modification does not alter the overall nature of the contract. Other than the value

of the call off contract being increased to allow the continuation of the provision of goods whilst the new procurement is concluded and the new contract in place, the nature of the call off contract is not being amended; and

(iii) Any increase in price does not exceed 50% of the value of the original contract or framework agreement. The upper estimate of

the original Framework Agreement was £881,000 GBP, this modification is for £440,000 which is less than 50% of the original maximum value of £881,000. This does not exceed 50% of the value of the original call off contract.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

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### **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

#### **V.2) Award of contract/concession**

##### **V.2.1) Date of conclusion of the contract**

10 January 2024

##### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

##### **V.2.3) Name and address of the contractor/concessionaire**

Stephens Catering Equipment Co Ltd

Ballymena

BT42 4NY

Email

[pcaves@stephens-catering.com](mailto:pcaves@stephens-catering.com)

Country

United Kingdom

NUTS code

- UKN - Northern Ireland

Internet address

<https://www.stephenscateringequipment.com/>

The contractor/concessionaire is an SME

No

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Initial estimated total value of the contract/lot/concession: £440,000

Total value of the contract/lot/concession: £440,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

The UK does not currently have any such bodies with responsibilities for appeal/mediation procedures

Belfast

Country

United Kingdom